
Special Education Programs and Services, Rule

The Background:

The Individuals with Disabilities Education Act (IDEA) was reauthorized on December 3, 2004 with an effective date of July 1, 2005. The United States Department of Education later released its final implementing regulations for IDEA Part C programs on September 28, 2011 with an effective date of October 28, 2011. The Tennessee Department of Education's Tennessee's Early Intervention System Interagency Coordinating Council convened a task force composed of parents of children with disabilities, representatives of service provider agencies, TEIS staff, and department staff to compare the current state rules and regulations 0520-1-10 with the changes to the reauthorized IDEA to ensure Tennessee Part C programs will be in compliance.

The task force recommends that the State Board of Education adopt by reference the Compilation of Federal Regulations at 34 C.F.R. Part 303 in their entirety as the state rule for administration of special education early intervention programs and services in the state. Further, the revised rule includes the state specific changes and additions that supplement the federal regulations. Many of the state specifications are to ensure the rule is consistent with Tennessee laws.

On June 27, 2012, a public hearing was conducted. Comments from the public were noted but no changes to the rule were made.

The Recommendation:

The Department of Education recommends that current Rule 0520-1-10 be replaced in its entirety by the proposed Rule 0520-1-10, and that this recommendation be adopted on final reading. The SBE staff concurs with this recommendation.